

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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<CASE CAPTION>

CASE NO. 18 -23537 (rdd)

Sears, Roebuck and Co. fka A&E
Factory Service fka Accents for Less fka
Appliance Liquidators fka American
Siding & Deck, Inc., (see continuation
page)

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RELIEF FROM STAY – REAL ESTATE AND
COOPERATIVE APARTMENTS

I, Heath Fegan Authorized Person

<NAME AND TITLE> OF

Carrington Mortgage Services, LLC servicing agent for Bank of America, N.A.

<NAME OF ORGANIZATION/CORPORATION/MOVING PARTY> (HEREINAFTER, “MOVANT”),
HEREBY DECLARE (OR CERTIFY, VERIFY, OR STATE):

BACKGROUND INFORMATION

1. REAL PROPERTY OR COOPERATIVE APARTMENT ADDRESS WHICH IS THE SUBJECT OF THIS

MOTION: 630 Artic Ave., Oak Grove, Kentucky 42262-8224

2. LENDER NAME: Bank of America, N.A.

3. DATE OF MORTGAGE <MM/DD/YYYY>: 04/02/2007

(Mortgage with not with Debtor. Debtor is a judgment debtor only)

4. POST-PETITION PAYMENT ADDRESS:

Carrington Mortgage Services, LLC
P.O. Box 3730, Anaheim, CA 92806

DEBT/VALUE REPRESENTATIONS

5. TOTAL PRE-PETITION AND POST-PETITION INDEBTEDNESS OF DEBTOR(S) TO MOVANT AT THE TIME OF
FILING THE MOTION: \$* N/A

(Note: this amount may not be relied on as a “payoff” quotation.)

6. MOVANT’S ESTIMATED MARKET VALUE OF THE REAL PROPERTY OR COOPERATIVE APARTMENT:
\$* N/A

EXHIBIT F

7. SOURCE OF ESTIMATED VALUATION: *N/A

**STATUS OF DEBT AS OF
THE PETITION DATE**

8. TOTAL PRE-PETITION INDEBTEDNESS OF DEBTOR(S) TO MOVANT AS OF PETITION FILING DATE:

\$ N/A *The Debtor was a defendant on an in rem judgment against the Property.
Debtor has not contractual relationship with Movant on this loan.

- A. AMOUNT OF PRINCIPAL: \$ _____
- B. AMOUNT OF INTEREST: \$ _____
- C. AMOUNT OF ESCROW (TAXES AND INSURANCE): \$ _____
- D. AMOUNT OF FORCED PLACED INSURANCE EXPENDED BY MOVANT: \$ _____
- E. AMOUNT OF ATTORNEYS' FEES BILLED TO DEBTOR(S) PRE-PETITION: \$ _____
- F. AMOUNT OF PRE-PETITION LATE FEES, IF ANY, BILLED TO DEBTOR(S): \$ _____

9. CONTRACTUAL INTEREST RATE: _____ (If interest rate is (or was) adjustable, please list the rate(s) and date(s) the rate(s) was/were in effect on a separate sheet and attach the sheet as an exhibit to this form; please list the exhibit number here: _____.)

10. PLEASE EXPLAIN ANY ADDITIONAL PRE-PETITION FEES, CHARGES OR AMOUNTS CHARGED TO DEBTOR'S/DEBTORS' ACCOUNT AND NOT LISTED ABOVE:

(If additional space is needed, please list the amounts on a separate sheet and attach the sheet as an exhibit to this form; please list the exhibit number here: _____.)

**AMOUNT OF ALLEGED POST-PETITION DEFAULT
(AS OF _____ <MM/DD/YYYY>)**

11. DATE LAST PAYMENT WAS RECEIVED: _____ <MM/DD/YYYY> *Please see above for explanation

12. ALLEGED TOTAL NUMBER OF PAYMENTS DUE POST-PETITION FROM FILING OF PETITION THROUGH PAYMENT DUE ON _____ < MM/DD/YYYY >: _____.

13. PLEASE LIST ALL POST-PETITION PAYMENTS ALLEGED TO BE IN DEFAULT:

ALLEGED PAYMENT DUE DATE	ALLEGED AMOUNT DUE	AMOUNT RECEIVED	AMOUNT APPLIED TO PRINCIPAL	AMOUNT APPLIED TO INTEREST	AMOUNT APPLIED TO ESCROW	LATE FEE CHARGED (IF ANY)
TOTALS:	\$	\$	\$	\$	\$	\$

14. AMOUNT OF MOVANT'S ATTORNEYS' FEES BILLED TO DEBTOR FOR THE PREPARATION, FILING AND PROSECUTION OF THIS MOTION: \$ ** Fees will be assessed against the Obligors on the loan

15. AMOUNT OF MOVANT'S FILING FEE FOR THIS MOTION: \$ **

16. OTHER ATTORNEYS' FEES BILLED TO DEBTOR POST-PETITION: \$ _____

17. AMOUNT OF MOVANT'S POST-PETITION INSPECTION FEES: \$ _____

18. AMOUNT OF MOVANT'S POST-PETITION APPRAISAL/BROKER'S PRICE OPINION: \$ _____

19. AMOUNT OF FORCED PLACED INSURANCE OR INSURANCE PROVIDED BY THE MOVANT POST-PETITION:
\$ _____

20. SUM HELD IN SUSPENSE BY MOVANT IN CONNECTION WITH THIS CONTRACT, IF APPLICABLE:
\$ _____

21. AMOUNT OF OTHER POST-PETITION ADVANCES OR CHARGES, FOR EXAMPLE TAXES, INSURANCE INCURRED BY DEBTOR ETC.: \$ _____

REQUIRED ATTACHMENTS TO MOTION

Please attach the following documents to this motion and indicate the exhibit number associated with the documents.

- (1) Copies of documents that indicate Movant's interest in the subject property. For purposes of example only, a complete and legible copy of the promissory note or other debt instrument together with a complete and legible copy of the mortgage and any assignments in the chain from the original mortgagee to the current moving party. (Exhibit _____.)
- (2) Copies of documents establishing proof of standing to bring this Motion. (Exhibit Exhibits B, C and D)
- (3) Copies of documents establishing that Movant's interest in the real property or cooperative apartment was perfected. For the purposes of example only, a complete and legible copy of the Financing Statement (UCC-1) filed with either the Clerk's Office or the Register of the county the property or cooperative apartment is located in. (Exhibit _____.) Exhibits B and C

CERTIFICATION FOR BUSINESS RECORDS

I CERTIFY THAT THE INFORMATION PROVIDED IN THIS FORM AND/OR ANY EXHIBITS ATTACHED TO THIS FORM (OTHER THAN THE TRANSACTIONAL DOCUMENTS ATTACHED AS REQUIRED BY PARAGRAPHS 1, 2 AND 3, IMMEDIATELY ABOVE) IS DERIVED FROM RECORDS THAT WERE MADE AT OR NEAR THE TIME OF THE OCCURRENCE OF THE MATTERS SET FORTH BY, OR FROM INFORMATION TRANSMITTED BY, A PERSON WITH KNOWLEDGE OF THOSE MATTERS, WERE KEPT IN THE COURSE OF THE REGULARLY CONDUCTED ACTIVITY; AND WERE MADE BY THE REGULARLY CONDUCTED ACTIVITY AS A REGULAR PRACTICE.

I FURTHER CERTIFY THAT COPIES OF ANY TRANSACTIONAL DOCUMENTS ATTACHED TO THIS FORM AS REQUIRED BY PARAGRAPHS 1, 2 AND 3, IMMEDIATELY ABOVE, ARE TRUE AND ACCURATE COPIES OF THE ORIGINAL DOCUMENTS. I FURTHER CERTIFY THAT THE ORIGINAL DOCUMENTS ARE IN MOVANT'S POSSESSION, EXCEPT AS FOLLOWS:

DECLARATION

I, Heath Fagan Authorized Person
<NAME AND TITLE> OR

Carrington Mortgage Services, LLC servicing agent for Bank of America, N.A.
<NAME OF MOVANT>, HEREBY DECLARE (OR CERTIFY, VERIFY, OR STATE) PURSUANT TO 28 U.S.C. SECTION 1746 UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT BASED ON PERSONAL KNOWLEDGE OF THE MOVANT'S BOOKS AND BUSINESS RECORDS.

EXECUTED AT Plano <CITY/TOWN>, TX <STATE> ON THIS 5th DAY
OF 2019 <MONTH>, 2019 <YEAR>.

Heath Fagan
Authorized Person

Bank of America, N.A. % Carrington
6200 Tennyson Pkwy
Plano Texas 75024

<PRINT NAME>
<TITLE>
<MOVANT>
<STREET ADDRESS>
<CITY, STATE AND ZIP CODE>

CONTINUATION

fka American Windows & Sash, Inc.
aka Austin Technology Center
aka Bath and Kitchen Elegance
aka Bath and Kitchen Elegance of the Desert
aka Big Beaver of Caguas Development Corporation
aka Big Beaver of Caguas Development Corporation II
aka Big Kmart
aka Big Kmart (#3680)
aka Central Wholesale Appliance Supply, Inc.
aka Chantell Marketing
aka Circle of Beauty Inc.
aka Delver
aka Delver.com
aka Designer Depot
aka Eblon Technologies India Private Limited
aka Evoke Productions
aka FitStudio by Sears
aka Florida Builder Appliances, Inc.
aka Garment Rack
aka HDC Holding Company of Delaware, Inc.
aka HO. Tampa Development Co.
aka HO. Tysons Office Investment Co.
aka ILJ, Inc.
aka JAF, Inc.
aka KC Kelley Group
aka Kenmore Direct
aka Kids Stockroom
aka Kmart
aka Kmart Acquisition Corp.
aka Kmart Apparel Corp.
aka Kmart Apparel Fashions Corp.
aka Kmart Apparel Leasing Corp.
aka Kmart Apparel Service of Atlanta Corp.
aka Kmart Apparel Service of Des Plaines Corp.
aka Kmart Apparel Service of Sunnyvale Corp.
aka Kmart Corporation
aka Kmart Enterprises, Inc.
aka Kmart Far East Limited
aka Kmart Financing I
aka Kmart Global Sourcing Ltd.
aka Kmart Holding Company
aka Kmart Holdings, Inc.
aka Kmart Lessee Operations, LLC
aka Kmart Management Corporation

aka Kmart Michigan Property Services, L.L.C.
aka Kmart of Amsterdam, NY Distribution Center, Inc.
aka Kmart of Pennsylvania LP
aka Kmart Pharmacies of Minnesota, Inc.
aka Kmart Pharmacies, Inc.
aka Kmart Properties, Inc.
aka Kmart Stores of Indiana, Inc.
aka Kmart Stores of TNCP, Inc.
aka KMI, Inc.
aka Koolvent Aluminum Products, Inc.
aka Kresge - Kmart Limited
aka Little Caesars
aka Max Acquisition Delaware Inc.
aka McKids
aka McKids The Store
aka McPhail's Appliances
aka MetaScale Technologies India Private Limited
aka Monark
aka Monark Holdings Inc.
aka Monark of California
aka Monark Premium Appliance Co.
aka Monark Premium Appliance Co. of Arizona
aka Monark Premium Appliance Co. of California
aka MXSV, Inc.
aka NTB - National Tire and Battery
aka NTB-National Tire & Battery
aka PMB, Inc.
aka Prairie Buck I, Inc.
aka Prairie Buck II, Inc.
aka Private Brands, Ltd.
aka Relay LLC
aka San Diego Appliance Sales
aka Sears
aka Sears #1284
aka Sears Acquisition Corp.
aka Sears Auto Center
aka Sears Auto Center #6582
aka Sears Auto Centers
aka Sears Carpet and Upholstery Care, Inc.
aka Sears Essentials
aka Sears Grand
aka Sears Grand #1673
aka Sears Holdings Management Corporation
aka Sears Home Appliance Showrooms
aka Sears Home Improvement Products (South), Inc.
aka Sears Home Services

aka Sears Home&Life
aka Sears Lessee Operations, LLC
aka Sears Logistics Services
aka Sears Logistics Services, Inc.
aka Sears Merchandise Group
aka Sears Merchandise Group, Inc.
aka Sears New York Insurance Agency
aka Sears Oklahoma Insurance Agency
aka Sears Protection Company Inc.
aka Sears Protection Company, Inc.
aka Sears Technology Services LLC
aka Sears, Roebuck de Mexico, S.A. de C.V.
aka Sears, Wishbook, Inc.
aka ServiceLive Direct
aka SHMC, Inc.
aka Shop Your Way Local, LLC
aka shopyourway.com
aka Sourcing and Technical Services, Inc.
aka SRC O.P. LLC
aka SRC Real Estate (TX), LLC
aka Standards of Excellence
aka Standards of Excellence Outlet Store
aka Super K
aka Super Kmart
aka SUPER KMART CENTER
aka Super Kmart Center
aka Texas Bluelight.com Inc.
aka The Annexx Restaurant
aka The Great Indoors
aka Tire Property Holding, Inc.
aka Tri-Valley Crossings
aka Troy CMBC Property, L.L.C.
aka Westar Kitchen & Bath LLC
aka Westar Kitchen and Bath
aka Westar Kitchen and Bath, LLC
aka Western Bluelight.com LLC
aka WestStar Kitchen and Bath
aka WestStar Kitchen and Bath LLC
aka Continental Carpet Cleaning, Inc.
aka Sears Carpet and Upholstery Care, Inc.
aka Print Procurement Company, LLC
aka Print Production Company, LLC
aka Relay LLC
aka Shop Your Way Local, LLC
aka Sears New York Insurance Agency
aka Sears Oklahoma Insurance Agency